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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.    |
|---|-------------|----------------------|---------------------|---------------------|
| 10/614,394  | 07/03/2003  | John Melideo         | J000-P0363US        | 5950                |
| 33356   | 7590        | 03/24/2005           | EXAMINER            |                     |
| SOCAL IP LAW GROUP<br>310 N. WESTLAKE BLVD. STE 120<br>WESTLAKE VILLAGE, CA 91362 |             |                      |                     | BAUTISTA, XIOMARA L |
| ART UNIT  |             | PAPER NUMBER         |                     |                     |
|   |             | 2179                 |                     |                     |

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## *jh*

### Office Action Summary

|                 |              |  |
|-----------------|--------------|--|
| Application No. | Applicant(s) |  |
|                 | JOHN MELIDEO |  |
| Examiner        | Art Unit     |  |
| X L Bautista    | 2179         |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 July 2003.  
2a) This action is FINAL.                    2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_\_ is/are allowed.  
6) Claim(s) 1-33 is/are rejected.  
7) Claim(s) \_\_\_\_\_ is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on 03 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
    1. Certified copies of the priority documents have been received.  
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
    Paper No(s)/Mail Date. \_\_\_\_\_  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 1-6, 11-17, 22-28 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Stautner et al (US 6,600,503 B2).**

Claims 1, 5, 12, 16, 23, 27 and 33:

Stautner discloses an integrated content guide having hypertext type links to allow selection of various programs. The links also allow embedding within the content guide of additional information. Stautner teaches that some links may allow

the viewer to dial a particular number and place a call just by selecting the link with an input device. The links being conspicuous to the user. Stautner teaches that a navigational device may be used to select or highlight a particular cell having the link (abstract; col. 4, lines 59-62; col. 6, lines 24-55; fig. 2). Stautner teaches a display device, user input device, processor, and memory (col. 1, lines 65-67; col. 3, lines 65; col. 4, lines 1-18, 59-67).

Claims 2, 13 and 24:

Stautner teaches programming instructions are implemented for displaying data units (col. 5, lines 46-52).

Claims 3, 4, 14, 15, 25 and 26:

Stautner teaches (fig. 2) only a portion of the additional information associated with the links is displayed, including displayable text intermixed with non-displayable data.

Claims 6, 17 and 28:

See claim 1. Stautner teaches hyperlinks, which are highlighted when selecting the cell (change color).

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claims 7-10, 18-21 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stautner.**

**Claims 7-10, 18-21 and 29-32:**

See claim 1. Stautner teaches highlighting (color) and right click method for activating a command but does not teach that the links are displayed underlined or having a distinctive font, a right-click selection. However, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to use this type of display attributes to enhance the links or telephone numbers because they call the attention of the user especially when the links is not the only information in the screen. Links are well known to be displayed using underlining, different colors or fonts, in order to “tell” the user that the data is an object that will execute a command, such as making a call.

***Conclusion***

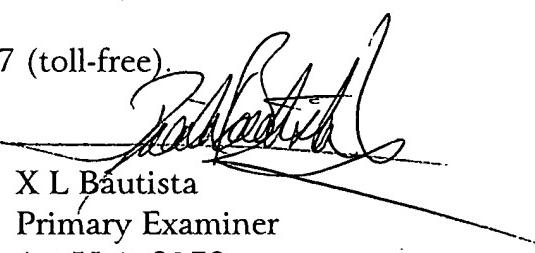
**5. The prior art made of record and not relied upon is considered pertinent to**

applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (7571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
X L Bautista  
Primary Examiner  
Art Unit 2179

xlb  
March 17, 2005